

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA**

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State of Oklahoma, et al.,	)	
	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	<b>Case No. 05-CV-0329 GFK-SAJ</b>
	)	
Tyson Foods, Inc., et al.,	)	
	)	
Defendants.	)	
	)	

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**PARTIES' STATUS REPORT REGARDING CARGILL DEFENDANTS' MOTION  
TO COMPEL PLAINTIFFS TO DESIGNATE DEONENTS UNDER RULE 30(B)(6)  
AND STATE OF OKLAHOMA'S MOTION FOR PROTECTIVE ORDER  
REGARDING THE CONDUCT OF 30(B)(6) DEPOSITIONS OF THE STATE**

The Parties make the following status report as required by this Court's Order dated November 14, 2007, Dkt. #1375, p.3:

- 1) The Court set the Cargill Defendants' Motion to Compel Plaintiffs to Designate Deponents Under Rule 30(b)(6), Dkt. #1270, and the State of Oklahoma's Motion for Protective Order Regarding the Conduct of 30(b)(6) Depositions of the State, Dkt. #1309, to be heard on November 6, 2007;
- 2) At the November 6, 2007 hearing, the Parties announced an agreement whereby all the Defendants agreed to prepare a list of deposition topics and provide that list to the State no later than December 3, 2007. In agreeing to provide this list, Defendants did not intend to waive or limit their right to individually or jointly seek depositions of the State or the State's employees or agencies pursuant to Rule 30. The State did not waive or limit their right to object to this list of deposition topics or any future notice of deposition

pursuant to Rule 30. The Parties advised the Court that they would work together to discuss scheduling and timing of deposition on the proposed topics after the Defendants' submission of their list of combined topics;

- 3) The Court's Order of November 14, 2007 abated the cross motions and directed the Parties to file a status report on or before November 30, 2007 advising the Court of what progress has been made. (Dkt. #1373 at 3.) The Court also set the abated motions for hearing on December 6, 2007 to address any remaining unresolved issues;
- 4) On November 28, 2007, counsel for the Cargill Defendants submitted a coordinated list of all of the Defendants' topics to counsel for the State of Oklahoma, and requested dates to schedule depositions on the first two topics in December or January. *See* Exhibit A;
- 5) On November 29, 2007, John Tucker and Theresa Hill, counsel for the Cargill Defendants, and David Riggs and Robert Nance, counsel for the State, conferred and report as follows: the State is in the process of reviewing the Defendants' list of topics and the Parties intend to engage in further discussions concerning commencing 30(b)(6) depositions of the State. Currently, the Parties do not have any unresolved issues to address with the Court and remain hopeful that these depositions can commence in December or January without further involvement of the Court.
- 6) In light of the foregoing, the Cargill Defendants and the State of Oklahoma jointly ask that their respective motions to compel or for protective order now set on the docket for December 6, 2007 be held in abeyance pending

completion of the consultations between the parties regarding 30(b)(6) depositions of the State.

Respectfully submitted,

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I certify that on the 30th day of November, 2007, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

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